Bletchingdon and Hampton Gay and Poyle Neighbourhood Development Plan 2026-2042

BASIC CONDITIONS STATEMENT

October 2026

Prepared by:

Bletchingdon, Hampton Gay and Hampton Poyle Neighbourhood Plan Steering Committee

On behalf of Bletchingdon Parish Council and Hampton Gay and Hampton Poyle Parish Meeting

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Glossary of Abbreviations

BHGPNDP	Bletchingdon and Hampton Gay and Poyle Neighbourhood Development Plan
ECHR	European Convention on Human Rights
EIA	Environmental Impact Assessment
EU	European Union
HRA	Habitats Regulations Assessment
LNRS	Local Nature Recovery Strategy
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework
PCPA	Planning and Compulsory Purchase Act
SEA	Strategic Environmental Assessment
TCPA	Town and Country Planning Act

Introduction

1.1 This Basic Conditions Statement has been prepared to form part of the Regulation 15 submission of the Bletchingdon and Hampton Gay and Poyle Neighbourhood Development Plan (BHGPNDP) 2026-2042.

The statement explains how the Neighbourhood Plan meets the Basic Conditions and other legal requirements. It includes an equalities assessment to help demonstrate compliance with human rights law.

The Legal Requirements

2.1 Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) identifies the Basic Conditions with which the BHGPNDP must comply. It is noted that these provisions were amended by Section 99 of the Levelling Up and Regeneration Act 2023 which came into force on 25 March 2026.

2.2 In addition to the changes to the Basic Conditions, Section 98 of the Levelling Up & Regeneration Act 2023, which came into force on 25 March 2026, introduced the following legal compliance requirements:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and

- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, the plan must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

2.3 Paragraph 8(1) states that the examiner must consider:

(a) whether the draft neighbourhood development plan meets the Basic Conditions (see sub paragraph (2)),

(b) whether the draft neighbourhood development plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act,

(c) whether any period specified under section 38B of the Planning and Compulsory Purchase Act is appropriate,

(d) whether the area for any referendum should extend beyond the neighbourhood plan area to which the draft neighbourhood plan relates, and

(e) such other matters as may be prescribed.

2.4 Paragraph 8 (2) (as amended) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004, requires that a Neighbourhood Development Plan meets the Basic Conditions if the Plan:

1. Has regard to national policies and advice contained in guidance issued by the Secretary of State;

2. Contributes to the achievement of sustainable development;

3. The making of the Neighbourhood Development Plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made;

4. The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and human rights legislation.

5. Any requirements imposed in relation to the Neighbourhood Development Plan by or under Part 6 of the Levelling Up and Regeneration Act 2023 (environmental outcomes reports) have been complied with.

6. Ensure that prescribed conditions are met.

2.5 In addition, all neighbourhood plans must meet the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. This means that they must either produce an environmental assessment report in general conformity with the regulations or, where a plan is unlikely to have significant environmental effects, a statement that sets out the reasons for that decision.

Meeting the Legal Requirements

3.1 General requirements

Qualifying Body

The draft Plan is being submitted by Bletchingdon Parish Council, which is the qualifying body for the BHGPNDP.

The Neighbourhood Plan

The draft Neighbourhood Plan relates to the use and development of land and has been prepared in accordance with the statutory requirements and processes set out in planning legislation, policy and guidance. This includes designation of the Neighbourhood Area, screening (Strategic Environmental Assessment and Habitat Regulations Assessment) and statutory consultation (Regulation 14).

Period of effect

In the Introduction, the draft NDP specifies the period from 2026-2042, which aligns with the Cherwell District Council Local Plan, 2042.

Excluded development

The draft NDP does not deal with mineral extraction, waste development, nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990

Neighbourhood Area

The draft NDP relates to one Neighbourhood Area (comprising the parishes of Bletchingdon and Hampton Gay and Poyle (see map at Appendix 1). The Neighbourhood Area was designated by Cherwell District Council on 25.10.2022.

3.2 The Basic Conditions and Other Legal Requirements

The basic conditions that neighbourhood plans must meet are summarised as follows:

- must contribute to the achievement of sustainable development;
- must have regard to national policy and guidance;
- must not deliver less housing development;
- must be compatible with EU obligations.

Regulations specify an additional basic condition that a plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitat sites.

In addition, the plan:

- must meet requirements of human rights law;
- address climate change and mitigation;
- take account of any Local Nature Recovery Strategy.

The following chapters of this statement deal with the basic conditions and other legal requirements in more detail.

Sustainable Development

4.1 **Dimensions of sustainable development**

The National Planning Policy Framework states that sustainable development has economic, social, and environmental dimensions.

4.2 Sustainable development is integral to the BHGPNDP, including positively supporting development while seeking protection and enhancement of the landscape setting, local character, community facilities etc. (where appropriate). The elements of sustainable development specified in the NPPF are listed in Table 1 below, with an explanation of how BHGPNDP contributes to each element.

Table 1 – How the BHGNDP contributes to sustainable development

Sustainable development definition: August 2026 NPPF, para 17	**How the BHGPNDP contributes to sustainable development**
Economic: to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.	**Policy F1**: supports development which retains and enhances community facilities and infrastructure
Social: to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.	**Policy SD2:** supports housing development which meets identified local needs **Policy SD5**: sets out expectations regarding (where relevant) long-term stewardship arrangements of community assets.
Environmental: to support efforts to mitigate and adapt to climate change, including moving to a low carbon economy; and to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, and minimising waste and pollution	**Policies SD1 and CD1-CD2:** supports development which conserves and, where possible, enhances the intrinsic character of the parishes and preserves the high-quality and accessible countryside setting of the village, open landscapes, and key views. **Policies CE1 – CE5**: seek opportunities for biodiversity net gain and nature recovery; safeguard and enhance existing green infrastructure and secure the provision of additional green space connected to the wider countryside landscape; and protects and enhances heritage assets. **Policy CE6**: protects the natural environment by designating 1 area as a Local Green Space.

Table 1 – How the BHGNDP contributes to sustainable development	
Sustainable development definition: August 2026 NPPF, para 17	**How the BHGPNDP contributes to sustainable development**
	Policy SD3-SD4: encourages and supports development that makes a positive local contribution to the climate and ecological emergencies

3.3 In summary, the BHGPNDP contributes to the achievement of sustainable development by:

- Positively supporting development to help meet current and future needs.
- Protecting and enhancing the built and historic environment by encouraging development that responds to the distinctive local character and landscape setting and protects and enhances heritage assets.
- Protecting and enhancing the natural assets of the parish, biodiversity, key views, and green spaces.
- Protecting and where possible enhancing community facilities and infrastructure to help meet the needs of residents, foster a well-designed public realm that contributes to community well-being, and encourage long-term stewardship arrangements with regard to community assets.

National Policy and Guidance

5.1 **Having regard to National Policy and Guidance**

The draft plan has regard to the National Planning Policy Framework, August 2026 (NPPF) and Planning Practice Guidance (PPG).

Paragraph 15 of the NPPF states: 'the purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest'. Furthermore, sustainable development has economic, social and environmental objectives, set out in Paragraph 17.

This achievement of sustainable development has underpinned the draft NDP.

Chapter 2 of the NPPF (Section PM5, paragraphs 1 and 2) sets out expectations for Neighbourhood Plans:

> "1. Neighbourhood Plans allow local communities to plan positively for their areas by identifying and addressing community priorities that can be met or supported through the planning system. They should do this by:
>
> > a. Allocating land to meet the development needs of their designated area, where it is appropriate to do so; and
> > b. Setting out policies which address particular local issues. These should relate to sites-specific matters or, where appropriate, may cover wider issues such as the provision of infrastructure and community facilities, regeneration opportunities, design requirements (including design codes), local environmental improvements and the conservation of local heritage assets…'
>
> 2. The contents of a neighbourhood plan should not result in less development than specified in other parts of the development plan which cover the same area."

BHGPNDP policies are based on evidence and the outcomes of community engagement and have been written to provide a clear framework for decision-making.

The BHGPNDP is based on a range of evidence, in line with the NPPF and planning practice guidance. The submission of the Neighbourhood Plan is accompanied by a full list of relevant evidence documents and reports. This includes a Local Green Spaces Report, a NDP Community Survey Report, a Character Assessment, a Design Code, and a Baseline Evidence Report.

Planning Practice Guidance has also been considered, including guidance relating to the process for preparation of Neighbourhood Plans, and also guidance on the themes addressed in the Neighbourhood Plan. The National Design Guide 2021 and the draft replacement National Design Guide have also informed the drafting of the BHGPNDP Design Code.

5.2 **NPPF Policy Areas**

The NPPF was last revised in August 2026 and contains a number of policy areas. The following table describes how different elements of the NPPF have been addressed in the BHGNDP:

Table 2 – How different elements in the elements of the NPPF have been addressed in the BHGNDP	
NPPF Reference	**NP Policy**
Introduction – Purpose of the Planning System (Paragraph 17) Chapter 14 – Achieving Well-designed Places • Section DP1 – A Strategy for Design (paragraph 1) • Section DP2 – Local Design Guides, Design Codes and Masterplans (paragraphs 1 and 2) • Section DP3 – Key Principles for well-designed Places (paragraph 1)	**CD1 – Design, Heritage and Setting** This policy seeks the protection and enhancement of the character of the built environment and landscape setting etc. by setting out character and design expectations tailored to local circumstances and context by reference to the Character Appraisal and the Design Code. **CD2 – Key Local Views** This policy identifies key views and seeks to manage the effect of development on the character of the landscape, and to respond positively to those key views.
Chapter 2 – Plan-making Policies: • Section PM12 – Developer Contributions (paragraph 3)	**SD2 – Housing Numbers, Tenure and Mix** This policy requests that developers demonstrate that the type of proposed development meets the local housing need of the Plan Area, as evidenced in the Evidence base, and asks developers to consider voluntarily exceeding affordable housing requirements. This is to ensure that there is a continued balance of a range of housing stock and tenure available to all in the community, particularly where there is an identified shortfall.
Chapter 4 – Achieving Sustainable Development: • Section S2 – Producing a Spatial Strategy (paragraph 1)	**SD1 – Settlement Boundary** This policy demarcates a settlement boundary in order to help to protect the distinctive character, setting, and identity of the parishes by preventing inappropriate development encroachment.
Chapter 5 – Meeting the Challenge of Climate Change: • Section CC1 – Planning for Climate Change (paragraph 1) • Section CC3 – Adaptation to Climate Change (paragraph 1) Chapter 14 – Achieving Well-designed Places	**SD3 – Zero Carbon Transition and Resource Efficiency** This policy is underpinned by an imperative to respond to the climate and ecological emergencies and is underpinned by ever-accumulating local, regional and international evidence.

• Section DP3 – Key Principles for well-designed Places (paragraph 1)	It also supports further ambition by encouraging developers to <u>voluntarily</u> apply, develop, (and retrofit) to more rigorous ecological and sustainable design standards. **SD4 – Flooding** This policy is underpinned by an imperative to respond to the climate and ecological emergencies and is underpinned by ever-accumulating local, regional and international evidence.
Chapter 16 – Promoting Healthy Communities • Section HC2 – Local Green Space (paragraphs 1 and 2)	**CE6 – Local Green Space** This policy designates a Local Green Space designation and protects an important green asset from potential development, thereby helping ensure its continued ecological and amenity value and positively contributing to long-term maintenance of the landscape character of the local area.
Chapter 16 – Promoting Healthy Communities • Section HC1 – Planning for Healthy Communities (paragraph 1)	**F1 – Community Facilities** This policy sets out the specific local requirements with regard to the provision of new and improved infrastructure and meeting the needs of specific groups.
Chapter 16 – Promoting Healthy Communities • Section HC1 – Planning for Healthy Communities (paragraph 1)	**SD5 – Long-term Stewardship of Community Assets** This policy sets out requirements for managing new community assets in order to better facilitate a sustainable, socially-inclusive, and thriving community**.**
Chapter 19 – Conserving and Enhancing the Natural Environment • Section N2 – Improving the Natural Environment (paragraph 1)	**CE1 – Biodiversity, Nature and New Development** **CE2 – Native Planting and Climate Resilience** **CE3 – The Natural Setting for New Development** **CE4 – Green and Blue Infrastructure** **CE5 – Trees and Hedgerows** These policies are a suite of mutually informing measures designed to positively respond to the

	need to protect and enhance local nature, biodiversity, and green and blue infrastructure. They set out the specific local context, natural character, local nature designations etc. which development applications should be cognisant of and engage with in order to promote and achieve appropriate, locally-specific protections and enhancements for different habitats and landscapes. The policies also respond to the imperatives of the climate and ecological emergencies by setting out locally-specific measures to adapt and respond to the changing climate.

Housing

6.1 Policies Addressing Housing

The BHGNDP supports residential development as set out in the Cherwell Local Plan 2042, including an allocation in the parish. BHGNDP policies are intended to shape and not reduce, the amount of housing delivery.

The following table considers the key policies which may have implications as relate to housing delivery.

Table 3 – Housing Policies and Implications for Housing Delivery

NP Policy	Implications for Housing Delivery
SD2 – Housing Numbers, Tenure and Mix	This policy would not restrict housing delivery and is intended to meet as far as is possible the identified requirements needs of local residents.
SD1 – Settlement Boundary **CD1 – Design, Heritage and Setting** **CD2 – Key Local Views**	These policies would not restrict housing delivery and are intended to ensure that the design of new development is high-quality and positively responds to local character and landscape setting.
CE1 – Biodiversity, Nature and New Development **CE2 – Native Planting and Climate Resilience** **CE3 – The Natural Setting for New Development** **CE4 – Green and Blue Infrastructure** **CE5 – Trees and Hedgerows**	These policies would not restrict housing delivery and are intended to ensure that development protects and enhances the nature and quality of the rural environment and landscape.
SD3 – Zero Carbon Transition and Resource Efficiency	This policy would help to ensure that housing was sustainable but would not limit the amount of housing delivered.

6.2 General Conformity

Neighbourhood Plans are no longer required to be in general conformity with strategic local policies. Nonetheless, the NDP was prepared to support and add detail to the strategic policies and spatial strategy in the Local Plan, as described in the policy rationale for each NDP policy.

Had the Basic Conditions not been amended, the Plan would be in general conformity, including in terms of housing delivery.

EU Obligations

7.1 **Screening**

The NDP was screened by Cherwell District Council in September 2026 to determine whether full Strategic Environmental Assessment (SEA) and/or Habitat Regulations Assessment (HRA) was required. The report stated:

"Cherwell District Council has screened the Regulation 16 Bletchingdon, Hampton Gay and Hampton Poyle Neighbourhood Development Plan against the requirements of:

- The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended); and
- The Conservation of Habitats and Species Regulations 2017 (as amended).

Having considered:

- the content and purpose of the Neighbourhood Plan;
- the Schedule 1 SEA criteria;
- the findings of the Cherwell Local Plan Review 2042 Sustainability Appraisal;
- the findings of the Cherwell Local Plan Review 2042 Habitats Regulations Assessment;
- the responses received from the statutory consultation bodies and CDC's ecologist;

Cherwell District Council concludes that:

- Strategic Environmental Assessment, SEA is not required.
- Habitats Regulations Assessment, Appropriate Assessment is not required"

7.2 **EU Obligations**

Given the screening outcomes, the draft Neighbourhood Plan meets the Basic Conditions relating to not breaching EU obligations and Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Human Rights and Equality

8.1 **Human Rights**

The Neighbourhood Plan Steering Group, being cognisant of the obligations in relation to Human Rights, have sought to ensure that the BHGPNDP Plan has regard to the fundamental rights and freedoms guaranteed under the ECHR and that it complies with the Human Rights Act 1998.

These rights can be summarised as follows:

- The right to life
- The prohibition of torture and inhuman treatment
- Protection against slavery and forced labour
- The right to liberty and freedom
- The right to a fair trial and no punishment without law
- Respect for privacy and family life and the right to marry
- Freedom of thought, religion and belief
- Free speech and peaceful protest
- No discrimination
- Protection of property
- The right to an education
- The right to free elections

The process of developing this Neighbourhood Plan has involved public consultation, seeking to engage with as full a range of consultees as possible to ensure the greatest opportunity for discussion about the NDP (see Consultation Statement for details).

This engagement with the local community (through consultation with a wide array of individuals, businesses, landowners and community organisations) has provided opportunities for the community to feedback and be involved in the process.

This has meant that in having the opportunity to consider the draft Neighbourhood Plan and to seek to influence it where appropriate, respondents have been able to ensure, through discussion and feedback, that those rights identified above have been protected throughout the process.

8.2 **Equalities**

The Equality Act 2010 places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a “protected characteristic” and those who do not.

Protected characteristics are defined in the Equality Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Everyone has at least two protected characteristics and this can change over a person’s lifetime.

7.2 **Equalities assessment**

This section considers the impacts of BHGPNDP policies on particular groups or communities, particularly those with a protected characteristic.

More specifically against protected characteristics, the following are of particular relevance:

Age

Age can have implications for mobility, access to cars (especially older and younger groups), reliance on local facilities, changing housing needs and health, among other matters. The plan seeks to improve community facilities and the accessibility of the public realm through good design, improvements to green and blue infrastructure and extending the PROW network. This would be beneficial to people of all ages.

Disability

Disability can have implications for accessibility, housing needs, access to facilities and other factors. The plan seeks to provide housing suitable for a range of local needs, improve community facilities to support a more inclusive community, and ensure accessibility of the public realm through good design, improvements to green and blue infrastructure and extending the PROW network. The impact on people with disabilities will be positive.

Gender Reassignment

Gender reassignment may have implications for housing, community facilities, safety and a range of other planning matters. The plan cannot directly address the social attitudes that underpin prejudice and hate crimes. However, the plan places emphasis on diversity, including in housing, employment and local facilities. The impact will be positive.

Maternity and Pregnancy

Maternity has implications for numerous factors, including ease of movement, changing housing needs, and access to local facilities. The plan seeks to provide housing suitable for a range of local needs, improve community facilities to support a more inclusive community, and ensure the accessibility of the public realm through good design, improvements to green and blue infrastructure and extending the PROW network. The impact on pregnant women will be positive.

Race

Race and culture can be factors in housing needs, community facilities, safety and a range of other planning matters. The BHGNDP cannot directly address the social attitudes that underpin prejudice and hate crimes. However, it does seek to provide housing to meet a range of needs and supports additional and new recreational facilities which support a more inclusive community. The impact will be positive on people of all races.

Religion or Belief

Some religious beliefs may have implications for housing, community facilities, safety and other planning matters. The plan places emphasis on diversity, including in housing and local facilities. The impact will be positive.

Sex

Sex can have implications for a range of factors, including housing needs, community facilities, safety and a range of other planning matters. The plan seeks to shape housing to meet local needs and support local facilities - the impact will be positive.

Sexual Orientation

LGBTQ+ status may have implications for housing, community facilities, safety and a range of other planning matters. The plan cannot directly address the social attitudes that underpin prejudice and hate crimes. However, the plan places emphasis on meeting the diversity of local need, including in housing and local facilities. The impact on LGBTQ+ people will be positive.

7.3 **Equalities conclusions**

The policies of the BHGNDP will potentially benefit the local community, including those with protected characteristics, by seeking to enhance the vitality of the parish, and supporting and shaping housing development to meet local needs.

Other Legal Requirements

9.1 Climate Change and Mitigation

Encouragement and support for development that makes a positive local contribution to the climate and ecological emergencies is a stated objective of the BHGPNDP. As such, climate change and mitigation, and carbon reduction are key themes running through the policies of Neighbourhood Plan, as demonstrated by the following:

- Sustainable, low/ zero-carbon design and retrofitting: addressed at **Policy SD3 – Zero Carbon Transition and Resource Efficiency**
- Flood risk and sustainable drainage systems: addressed **at Policy SD4 - Flooding**
- Green infrastructure in new development: addressed at **Policy CE1 – Biodiversity, Nature and New Development**
- Native planting and climate resilience: addressed at **Policy CE2.**

9.2 Local Nature Recovery Strategy

Policy CE1-CE6 address the natural environment. Collectively, these policies seek to ensure that development avoids adverse impacts and takes opportunities to enhance green and blue environments.

The rationale for all these policies makes reference to the LNRS and measures specific to the BHGPNDP area. Policy CE1 includes an explicit requirement for development to consider the Local Nature Recovery Strategy.

Conclusion

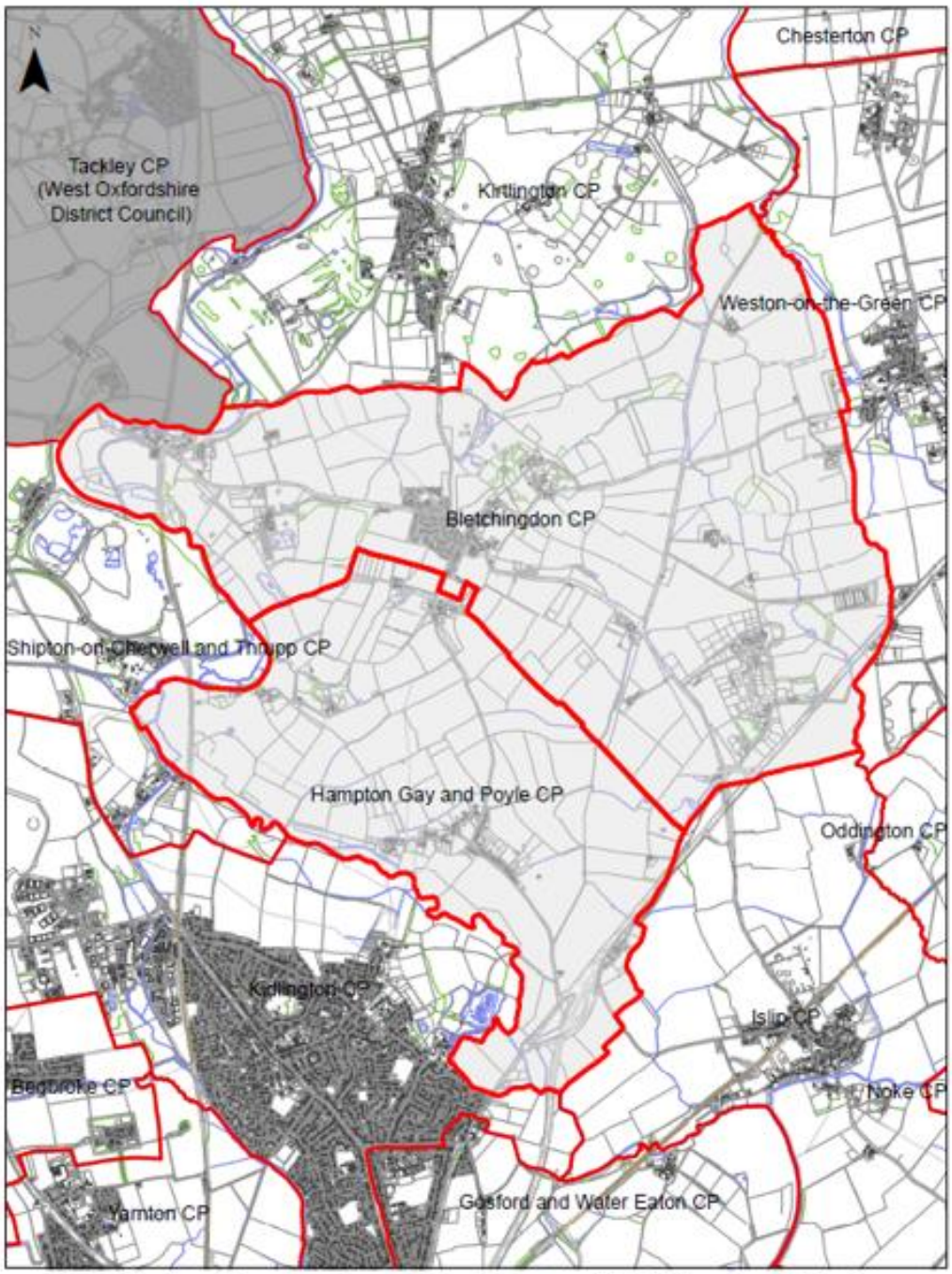
10.1 **Legal Compliance**

The BHGPNDP meets the Basic Conditions, by contributing to the achievement of sustainable development, having regard to national policy, supporting additional housing development (not less development), and being compatible with EU obligations and Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

In addition, the plan is compatible with human rights law and meets other legal requirements relating to climate change and the Local Nature Recovery Strategy, as demonstrated in this statement.

Appendix 1: The Neighbourhood Plan Area

The Bletchingdon and Hampton Gay and Poyle Neighbourhood Plan Area was designated by Cherwell District Council on 25.10.2022.



Bletchingdon, Hampton Gay and Poyle Proposed Neighbourhood Plan Area.

0 0.25 0.5 1 1.5 2
Kilometers

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